

## DECISION MEMORANDUM

**TO:** COMMISSIONER KEMPTON  
COMMISSIONER SMITH  
COMMISSIONER REDFORD  
COMMISSION SECRETARY  
COMMISSION STAFF  
LEGAL

**FROM:** NEIL PRICE  
DEPUTY ATTORNEY GENERAL

**DATE:** JUNE 19, 2009

**SUBJECT:** APPLICATION OF ALEC, INC. FOR A CERTIFICATE OF PUBLIC  
CONVENIENCE AND NECESSITY; CASE NO. ALE-T-09-01

On June 12, 2009, ALEC, Inc. (“ALEC” or “Company”) filed an Application for a Certificate of Public Convenience and Necessity pursuant to *Idaho Code* §§ 61-526 through 528, IDAPA 31.01.01.111 and Commission Order No. 26665 to provide local exchange telecommunications services within the state of Idaho.

### THE APPLICATION

ALEC is a Kentucky corporation and lists its principal place of business as Lexington, Kentucky. Application at 2-3. ALEC is registered with the Idaho Secretary of State as a foreign limited liability company and has contracted with National Registered Agents, 1423 Tyrell Lane, Boise, Idaho 83706, as its Idaho registered agent for service. *Id.* at 3. Currently, ALEC is certificated, registered or otherwise authorized to provide interexchange and local exchange telecommunications services in the following states: Alabama, California, Florida, Georgia, Kansas, Kentucky, Mississippi, Nebraska, Nevada, North Carolina, Ohio, South Carolina, Tennessee, Texas and Washington. *Id.* at 1.

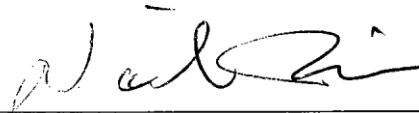
ALEC proposes to “provide facilities-based and resold local exchange and interexchange services to the extent the network and transmission facilities of its facilities-based competitive suppliers permit.” *Id.* at 2. ALEC will offer “wholesale switching and interconnection services to other telephone service providers and similarly-positioned wholesale business customers.” *Id.* at 4.

ALEC requests authority to provide its services to customers “throughout the entire state of Idaho, or to the extent the facilities of its underlying carriers permit.” *Id.* at 1-2. The Company anticipates that it will compete with current Idaho ILECs Qwest North, Qwest South and Verizon Northwest. *Id.* at 4. The Company “does not anticipate installing physical plant at this time” and states that it intends to “collocate switching, signaling systems and other equipment of [Incumbent Local Exchange Company] ILEC and non-ILEC collocation facilities. . . .” *Id.* at 2. Applicant has not yet finalized the location of its facilities in Idaho. *Id.*

In its filing, ALEC has included a copy of its initial tariff and price sheets. *Id.* at 5, Exh. 3. The Company has “reviewed all of the Commission’s rules and agrees to comply with them. *Id.*, Exh. 4. ALEC states that it has initiated negotiations for network interconnection with Verizon Northwest Inc. *Id.* at 6. The Company does not anticipate that it will require advanced payments or deposits from its customers. *Id.*

#### **COMMISSION DECISION**

Does the Commission wish to process ALEC’s Application for a Certificate of Public Convenience and Necessity through Modified Procedure?



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Neil Price  
Deputy Attorney General

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